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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,791	11/03/2000	Ralf Martin	016906/0206	7498

22428 7590 05/01/2006  
FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/704,791	MARTIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian J. Broadhead	3661	

All participants (applicant, applicant's representative, PTO personnel):

(1) Brian J. Broadhead. (3) \_\_\_\_\_.

(2) Paul D. Strain. (4) \_\_\_\_\_.

Date of Interview: 25 April 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 11-14,18,20-25 and 28.

Identification of prior art discussed: n/a.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative presented a draft amendment to address the outstanding rejections. Suggestions for claim 18 were discussed and the changes appeared to address the rejections. The amendment will be considered when formally filed..

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

PTOL-413A (08-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 09/704,791 First Named Applicant: Ralf Martin  
Examiner: Brian J. Broadhead Art Unit: 3661 Status of Application: Pending

#### Tentative Participants:

(1) Examiner B. Broadhead (2) Mr. P. Strain  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 04/25/06 Proposed Time: 10:00 (AM/PM)

#### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>§ 112 rejections</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

See attached claims

An interview was conducted on the above-identified application on 5/25/06.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

[Signature]  
Applicant/Applicant's Representative Signature

[Signature]  
Examiner/SPE Signature

Paul D. Strain

Typed/Printed Name of Applicant or Representative

47,369

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## Possible Claim Amendments – For Discussion Purposes Only

1-10. (Canceled)

11. (Previously Presented) An apparatus for actuating a control element for a heating or air-conditioning system in a motor vehicle, comprising:

a first actuating drive;

an electrical circuit operatively connected to the actuating drive wherein the electrical circuit comprises programmable memory suitable for overwritably storing a subscriber number and wherein the electrical circuit provides for both software and hardware coding of the subscriber number;

a control section for inputting control commands to the electrical circuit;

at least one electrical cable connecting together the actuating drive, the circuit and the control section, wherein the circuit is arranged remote from the actuating drive and from the control section and wherein the circuit is <sup>connected to</sup> ~~integrated into~~ the cable; and

two mutually associated connector parts for connecting the circuit to the cable, wherein the subscriber number can be set by means of at least one of said connector parts via software coding by way of data provided from a data line connected to one of the connector parts.

12. (Original) An apparatus as claimed in claim 11, wherein the two connector parts each have a plurality of connector contacts that are selectively connectable to a conductor in the cable.

13. (Original) An apparatus as claimed in claim 12, wherein the connector contacts are located in plural planes, and the number of connector contacts located in a plane is not substantially the number of planes.

14. (Original) An apparatus as claimed in claim 13, wherein two planes are provided, in each of which three connector contacts are arranged.

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## Possible Claim Amendments – For Discussion Purposes Only

## Possible Claim Amendments – For Discussion Purposes Only

15-17. (Canceled)

18. (Previously Presented) A method for installing an apparatus for actuating a control element for a heating or air-conditioning system in a motor vehicle, comprising:

installing an actuating drive for <sup>the</sup> ~~the~~ control element;

installing a control section for inputting control commands to the control element;

installing an electrical circuit operatively connected to the actuating drive but at a position remote from both the actuating drive and the control section, wherein the electrical circuit comprises programmable memory suitable for overwritably storing a subscriber number associated with the control element, wherein the electrical circuit provides for both software and hardware coding of the subscriber number;

connecting together the actuating drive, the circuit and the control section with at least one electrical cable comprising a databus and wherein the circuit is <sup>connected to</sup> ~~integrated into~~ the cable; and

storing in the memory a first subscriber number not later than in conjunction with the installation,

wherein <sup>storing</sup> ~~the manual supplying~~ of the first subscriber number comprises providing a unique subscriber number by selectively making at least one connection between a plurality of contacts in a connector, respectively, to one of plural conductors contained in the databus.

19. (Canceled)

20. (Original) A motor vehicle, comprising a heating or ventilating system including a plurality of control elements for said <sup>heating or ventilating</sup> system and a plurality of corresponding actuating apparatus operatively associated with said control elements, wherein each actuating apparatus comprises an actuating apparatus as defined in claim 11, and wherein at least a plurality of actuating drives in said system and at least a plurality of electrical circuits in said system are identical to one another and are interchangeable.

## Possible Claim Amendments – For Discussion Purposes Only

## Possible Claim Amendments – For Discussion Purposes Only

21. (Previously Presented) An apparatus for actuating a control element for a heating or air-conditioning system in a motor vehicle, comprising:

a first actuating drive;

an electrical circuit operatively connected to the actuating drive wherein the electrical circuit includes a programmable memory which comprises an EEPROM and wherein the electrical circuit provides for both software and hardware coding of the subscriber number;

a control section for inputting control commands to the electrical circuit;

at least one electrical cable connecting together the actuating drive, the circuit and the control section, wherein the circuit is arranged remote from the actuating drive and from the control section and wherein the circuit is ~~integrated into~~ <sup>connected to</sup> the cable; and

two mutually associated connector parts for connecting the circuit to the cable wherein each connector part comprises at least 2 planes, each plane comprising at least 3 connector contacts that are selectively connectable to a conductor in the cable.

22. (Previously Presented) An apparatus as claimed in claim 21, further comprising a flap for a motor vehicle heating or air-conditioning system wherein the flap is operatively linked to the actuating drive and wherein the flap comprises a mixing-air flap or a defroster flap.

23. (Previously Presented) An apparatus as claimed in claim 21, wherein the actuating drive comprises a stepping motor.

24. (Previously Presented) An apparatus as claimed in claim 21, wherein said at least one electrical cable comprises a positive supply voltage conductor, a negative supply voltage conductor and a data line.

25. (Previously Presented) An apparatus as claimed in claim 21, wherein the apparatus comprises at least one additional actuating drive which is substantially identical to the first actuating drive and which is operably linked to a flap for a motor vehicle heating or air-conditioning system.

## Possible Claim Amendments – For Discussion Purposes Only

## **Possible Claim Amendments – For Discussion Purposes Only**

26-27. (Canceled)

28. (Previously Presented) An apparatus according to claim 12, wherein the plurality of connector contacts are connected to a single data line, in which a particular disposition of data bits in time sequence are respectively received by the plurality of connector contacts such that each one of the connector contacts retrieves a particular one of the data bits in accordance with the particular disposition, so as to receive a new subscriber number provided to the electrical circuit by way of software coding.

## **Possible Claim Amendments – For Discussion Purposes Only**